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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	**Application No.** 08/994,047	**Applicant(s)** GARRISON ET AL.
	Examiner Kyle J. Choi	**Art Unit** 3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2002* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11, 13-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 13-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 December 1997* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☒ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

1.   The following is a **non-final** Office Action in response to the communication filed January 17, 2002. Claims 1-11, 13-28 are currently pending in the present application.

Prosecution History

2.   The following a summary of the significant portions of the prosecution history of the present application:

a.   A first Office Action was mailed on April 5, 1999 rejecting Claims 1-27 as originally filed (paper no. 5). The same Office Action was subsequently remailed on May 20, 1999.

b.   A supplemental Office Action was mailed on June 18, 1999 to indicate consideration of a supplemental IDS that crossed in the mail from the issuance of the first Office Action.

c.   Applicant filed a response on August 31, 1999

          canceling claim 12;
          amending claims 1-5, 8-9, 11, 13-20, 22-27; and
          adding new claim 28.

d.   A final Office Action was mailed November 5, 1999 finally rejecting claims 1-11, 13-28 (paper no. 9). The same Office Action was remailed on June 9, 2000.

e.   Applicant filed a request for reconsideration on
September 29, 2000.

f.   Applicant filed a Notice of Appeal on December 14,
2000.

g.   An Advisory Action was mailed January 25, 2001 with a
finding that the application was not in a condition for
allowance (paper no. 15).

h.   Applicant filed an Appeal Brief on February 12, 2001.

i.   Prosecution was reopened and a non-final Office Action
was mailed May 4, 2001 rejecting claims 1-11, 13-28 (paper
no. 18).

j.   Applicant filed a response on July 24, 2001 amending
claims 14, 18, and 20.

k.   A final Office Action was mailed October 11, 2001
finally rejecting claims 1-11, 13-28 (paper no. 21).

l.   Applicant filed a request for reconsideration on
December 7, 2001.

m.   In a telephonic interview on January 28, 2002,
applicant was notified that the finality of the final
Office Action (paper no. 21) was withdrawn in light of the
request for reconsideration (paper no. 23).

n.   In a subsequent telephonic interview on February 14,

2002, Applicant's representative authorized an Examiner's

Amendment to

> cancel claim 10; and
> amend claim 22

bringing the history to the present Office Action.

3.   Applicant is hereby notified that the Examiner's Amendment

authorized in the interview on February 14, 2002 has been

VACATED and therefore was **NOT ENTERED** in light of the instant

Office Action. Moreover, the finality of the last Office Action

(paper no. 21) is hereby **WITHDRAWN** and prosecution is **REOPENED**.

4.   The following is a non-final Office Action upon examination

on the merits of *claims 1-11, 13-28 pending at the time of the*

final Office Action mailed October 11, 2001 (paper no. 21).

Response to Arguments

5.   Applicant's arguments with respect to claims 1-11, 13-28

have been considered but are moot in view of the new ground(s)

of rejection as set forth below.

Specification

6.   The disclosure is objected to because of the following

informalities:

a.   On *page 1*, "Cross-Reference to Related Applications"

lists two related applications by title only. Applicant is

requested to provide the application serial number, date

filed, and an updated status of each (i.e., pending,

abandoned, issued (with patent number)).

Appropriate correction is required.

Drawings

7.   The drawings are objected to under 37 CFR 1.83(a). The

drawings must show every feature of the invention specified in

the claims. In the present case, all the independent claims

recite either identifying or producing an 11-digit zip code

before recording matching is initiated.   None of the drawings

show such as feature. At best, Figure 3 shows a flow diagram

that will perform a "zip code match" if a match is not found

based on Merchant ID. This is not the same as the feature

currently claimed. Therefore, the "identifying" or "producing"

step of an 11-digit zip code must be shown or the feature(s)

canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are

required in reply to the Office action to avoid abandonment of

the application. *The objection to the drawings will not be held*

in abeyance.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the **first paragraph** of 35

U.S.C. 112:

> The specification shall contain a written description of the invention, and
> of the manner and process of making and using it, in such full, clear,
> concise, and exact terms as to enable any person skilled in the art to
> which it pertains, or with which it is most nearly connected, to make and
> use the same and shall set forth the best mode contemplated by the inventor
> of carrying out his invention.

9.   *Claims 1-11, 13-28* are rejected under *35 U.S.C. 112, first*

paragraph, as containing subject matter which was not described

in the specification in such a way as to enable one skilled in

the art to which it pertains, or with which it is most nearly

connected, to make and/or use the invention.

In particular, independent claims 1, 10, 16, and 28 all

recite, *inter alia*, processing the payee address information to

"identify" an eleven digit zip code. Independent claims 11 and

22 recite, *inter alia*, processing payee information and address

information, respectively, to "produce" an eleven digit zip

code. Looking to the specification, the only teaching on how

the eleven digit zip code is "identified" or "produced" in the

disclosure as originally filed is from the following passage:

> At step 66, the RPP maps the merchant's merchant
> name and address, excluding the provided street
> address and zip code, into an eleven digit zip code.
> That is, the RPP produces an eleven digit zip code
> based on merchant **name, city, and state** in the payment
> information. (see page 19, lines 6-11)(emphasis
> added).

Upon further review of the technology behind eleven digit zip

codes, it becomes evident that the disclosure *as originally*

filed is not enabling. As described in the article *"History of*

the U.S. Postal Service" retrieved from the United States Postal

Service website and included herewith, the eleven digit zip code

(also known as the "Delivery Point" zip code) is constructed

using the ZIP+4 (i.e., post office location + *delivery sector*)

in addition to the *last two digits of the street address (e.g.,*

building number) (see page 3, first full paragraph). As

originally disclosed, the specification teaches that the eleven

digit zip code is created without the essential elements needed

in generating the eleven digit zip code (i.e., no street name

and building number is used). Conceivably, it is possible to

generate a five digit zip code using the city and state

information because the USPS provides lookup tables for 5 digit

zip codes based on only the city and state information.

However, even the nine digit zip code (i.e., ZIP+4) requires at

least a street name to determine the delivery sector. It is not

understood how an eleven digit zip code, which is constructed in

addition to the nine digit zip code (i.e., the building number)

can be identified or produced using only the name, city, and

state information. At the very least, the specification as

originally filed lacks written description as to provide support

for claims reciting broader coverage than what is disclosed in

the specification (i.e., using payee "information" or payee

"address information") to identify or produce the eleven digit

zip code. On its face, the specification fails to enable one of

ordinary skill in the art as to how an eleven digit zip code is

identified or produced without using the street address

information (i.e., street name and building number).

10. *Claims 1-11, 13-28* are rejected under 35 U.S.C. 112, *first*

paragraph, because the specification, while providing written

support for identifying and producing eleven digit zip code

using name, city, and state information of the payee, does not

reasonably provide written support for using any other payee

information. In particular,

   a.   **Claims 1, 2, 4-9** recite processing "the <u>payment</u>

   <u>information</u> other than the received payee zip code" to

   identify an eleven digit zip code. This recitation is not

   commensurate with the disclosure of the specification,

   which only discloses using name, city, and state

   information of the payee.

   b.   **Claims 11, 13-21** recite processing "the <u>payment</u>

   <u>information</u>, excluding the received payee zip code" to

   identify or produce an eleven digit zip code. This

   recitation is not commensurate with the disclosure of the

   specification, which only discloses using name, city, and

   state information of the payee.

   c.   **Claims 22-27** recite processing "the <u>payment</u>

   <u>information</u>" to produce an eleven digit zip code. This

   recitation is not commensurate with the disclosure of the

   specification, which only discloses using name, city, and

   state information of the payee.

   d.   **Claim 28** recites processing "the received <u>payee</u>

   <u>address information</u>" to identify an eleven digit zip code.

   This recitation is not commensurate with the disclosure of

the specification, which only discloses using name, city,

and state information of the payee.

11. The following is a quotation of the **second paragraph** of 35

U.S.C. 112:

> The specification shall conclude with one or more claims particularly
> pointing out and distinctly claiming the subject matter, which the
> applicant regards as his invention.

12. **Claims 1, 2, 4-11, 13-28** are rejected under 35 U.S.C. 112,

second paragraph, as being indefinite for failing to

particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

a. As to **claims 1, 2, 4-9, 11, 13-28**, the recited

limitations are broader than what is disclosed in the

specification as discussed in the §112, first paragraph

rejection above. Consequently, it is vague and indefinite

as to what the "other information" is (i.e., besides the

submitted payee zip code) if this information is not the

"name, city, and state" information as disclosed in the

specification. Consequently, all references to the

"processed information" to produce the eleven digit zip

code for the purposes of §102/§103 analysis will be

construed to mean "name, city, and state" information since

that is the only definitive elements disclosed in the
specification as originally filed.

b.   As to *claims 1-5, and 11* it is vague and indefinite as
to how these steps constitute "payment remittance
processing" when none of these claims recite such a step as
described in the preamble of claim 1. At best, claims 1-5
recite accessing a record in a database. There is no
"payment remittance processing" recited.

c.   As to *claim 10*, it is vague and indefinite as to how
the recited steps "ensure the integrity of the data". The
steps recited are directed to identifying a lookup code
(i.e., the eleven digit zip code) and accessing the
database to locate a record based on the code. There is no
step of "ensuring integrity" claimed.

13.   Despite the deficiencies as discussed above with regard to
the scope of the invention and enablement, the following
rejections are applied based on the closest prior art as best
understood by the examiner in the interest of furthering
prosecution.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American
Inventors Protection Act of 1999 (AIPA) do not apply to the
examination of this application as the application being
examined was not (1) filed on or after November 29, 2000, or (2)
voluntarily published under 35 U.S.C. 122(b). Therefore, this
application is examined under 35 U.S.C. 102(e) prior to the
amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

15. *Claims 1-5, 10, 11, 15-* are rejected under 35 U.S.C. 102(e)

as being anticipated by *Haimowitz et al. (US Pat. No.*

5,819,291).

As to *claims 1-3,* all the steps recited are directed to

locating a record in a database. The steps recite receiving

information including a zip code and processing the information

excluding the received zip code to identify an 11-digit zip code

to access an established database with records having a zip code

to locate the record with a zip code corresponding to the

identified 11-digit zip code. As discussed in the §112, 2nd

paragraph rejection above, none of the recited steps constitute

payment remittance *per se*. Hence, the fact that the records are

directed to a "payee" is not patentably significant since the

record's possession (i.e., to "whom" the data belongs) does not

confer patentable weight to the underlying process.

Haimowitz et al. discloses a method and system for

accessing existing records to match those records being received

by the system to determine if there is a matching record already

in the system. Haimowitz et al. teaches receiving new customer

records (col. 3, lns. 48-53) that includes a zip code (col. 3,

lns. 1-2), a zip code is generated from the address information

if the zip code is missing or incorrect (col. 3, lns. 65-67;

col. 4, lns. 6-10, 11-14, 42-51; col. 5, lns. 1-3), a "hash

code" is then generated (and later used to access the record)

using the other information and the zip code validated from the

zip code database (col. 5, lns. 47). Examiner notes that

Haimowitz et al. does not specify what type of zip code is used

(i.e., 5-digit, 9-digit, or 11-digit). However, Haimowitz et

al. discusses the following:

> [i]t is given that customer classification is
> based on a corporate entity located at a particular
> **physical location**. And it follows that the hash key
> used to identify the possible matches should generate
> the set of similar corporate entities located in a

similar fashion. **Thus, the hash key should be composed of attributes that describe the corporate entity and ones that describe its physical location.** (col. 5, lns. 20-27)(emphasis added).

[U]sing the general business format provided in FIG 3, the **NAME** field is the only Corporate Entity attribute that contains data of sufficient quality to warrant consideration for hash key inclusion. Of the Location attributes, the **CITY, STATE, ZIP**, and COUNTRY fields contain the highest quality data for consideration of a hash key.

Using the above considerations, one possible hash key function is:

SUBSTR(**NAME**1,1)+COUNTRY_CODE+SUBSTR(**ZIP**,1,3)

(col. 5, lns 43-54)(emphasis added).

As discussed in the §112, 1st paragraph above, it is not understood how the present invention can generate an "11-digit zip code" as defined by the US Postal Service (i.e., a delivery point zip code) since the essential information for such a zip code is not used (e.g., building number and street name). The specification of the present application does say that the "11-digit zip code" of this invention is generated using name, city, and state information for purposes of looking up a record in a database. It is apparent from the passages above that Haimowitz et al. generates a record code using name, city, and state (i.e., the zip code) to generate and identify a record in a database. Haimowitz et al. refers to this record code as a

"hash key" and not as an "11-digit zip code". Since applicant

is his/her own lexicographer, it is respectfully submitted that

Haimowitz's "hash key" is the same as the "11-digit zip code" of

the present invention since both are generated and identified

using the same information (i.e., name, city, state) for the

same purpose (i.e., to access a record in a database).

As to *claims 4-5*, it is noted that the recitation in claim

4 is devoid of any "steps" to further limit the method of claim

1. Rather, claim 4 merely characterizes the various data (i.e.,

payee record and payment information) and intended use (i.e.,

the database is to be accessed for...) and therefore fails to

provide any patentable weight on their own. It is only in claim

5 that applicant recites a further "step" to the method of claim

1 (i.e., actually "locating" the payee record by matching the

recited information). The actual recited step in claim 5

recites that the record is located by matching the "11-digit zip

code" with the record zip code and the name with a portion of

the record name.

Haimowitz et al. teaches that once records have been

classified and narrowed down using the "hash key", the reduced

set is further compared with the corporate entity's name for

either exact matches or phonetic-based matching (col. 6, lns.
55-65; col. 8, lns. 53-56).

As to *claim 8*, Haimowitz et al. teaches verifying that the
received information, which includes account numbers, conform to
the validation rules and if not, altering the data to
standardize (i.e., normalize) the data so that it conforms to
the validation rule (col. 3, lns. 12, 33-35, 54-56; col. 4, lns.
20-24; col. 6, ln. 66; col. 8, ln. 56).

As to *claim 10*, Haimowitz et al. teaches receiving name,
address, city and state information (i.e., minus the zip code
information) of the merchant (col. 4, lns. 41-51), using the
name, city and state information to generate an "11-digit zip
code" (i.e., "hash key"; col. 3, lns. 61-67; col. 4, lns. 6-14;
col. 5, lns. 42-54) to access a database to find a match (col.
6, lns. 11-15).

As to *claims 11 and 15*, these claims are system claims
reciting elements for performing the steps discussed in claims 1
and 8 above, respectively. Since Haimowitz et al. also teaches
both the method and system, the same analysis applies to claims
11 and 15 as applied above to claims 1 and 8, respectively.

As to *claims 16-20*, these claims recite the article of
manufacture comprising a computer storage medium having stored

thereon a computer program causing a computer to perform the

steps of claims 1, 2, 4, 5, and 8, respectively. Since

Haimowitz et al. teaches that the disclosed system is a computer

based system performing the disclosed method, the same analysis

applies to claims 16-20 as applied above to claims 1, 2, 4, 5,

and 8, respectively.

As to **claims 22, 23, 25-27**, these claims recite a system

comprising a first station, a second station, and database for

performing the method of claims 1, 8, 2, 4, and 5, respectively.

Haimowitz et al. teaches two separate stations; one where the

raw data is being generated (col. 3, lns. 49-53) and one where

the processing and matching is taking place (i.e., the system as

disclosed in the reference), and a database of existing records

(Fig. 1, reference no. 12) for performing the disclosed method

of processing and matching new records received to existing

records. Hence, the same analysis applies to claims 22, 23, 25-

27 as applied above to claims 1, 8, 2, 4, and 5, respectively.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

17.   This application currently names joint inventors. In
considering patentability of the claims under 35 U.S.C. 103(a),
the examiner presumes that the subject matter of the various
claims was commonly owned at the time any inventions covered
therein were made absent any evidence to the contrary.
Applicant is advised of the obligation under 37 CFR 1.56 to
point out the inventor and invention dates of each claim that
was not commonly owned at the time a later invention was made in
order for the examiner to consider the applicability of 35
U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior
art under 35 U.S.C. 103(a).

18. *Claims 6, 7, 9, 13, 15, 21, and 24* are rejected under 35

U.S.C. 103(a) as being unpatentable over *Landry (US Pat. No.*

5,649,117) in view of *Haimowitz et al. (US Pat. No. 5,819,291)*.

Independent claims 1, 11, 16, and 22 were rejected under

§102(e) based on Haimowitz et al. due to the §112, 2nd paragraph

rejection as set forth above. In particular, although these

independent claims recite a method and system for processing

"payment information", none of these claims recite any positive

steps or elements directed to making any payments, hence the

§112, 2nd paragraph rejection above. Therefore, rejecting these

claims *as recited* under §102 based on Haimowitz is justified.

Claims 6, 7, 9, 13, 15, 21, and 24 now recite specific

steps and elements directed to payment processing (i.e., steps

and elements for directing payments and/or remittance center

selection for the payment). Therefore, the following rejection

is applied based on a payment processing method and system

(Landry) as the primary reference in view of a method and system

for matching records (Haimowitz) as the secondary reference,

instead of applying the references *vice versa*.

As to **claims 6, 7, and 13**, Landry teaches a method and

system for making electronic payments (see at least the

Abstract). Landry's method and system includes setting up Payor

and Payee records (i.e., accounts) that includes respective

account numbers (i.e., Payor ID, Payee ID; Fig. 2A), respective

address information (i.e., Payor address, Payee address; Fig.

2A), and respective financial institution information (Payor

Bank, Payee Bank; Fig. 3). Landry's method and system processes

payee information as received from the payor's payment

information in setting up the payee record and uses the payee

record as indicated in the payor records to process and remit

payment (see at least the Abstract; col. 6, lns. 32-54; col. 21,

"ADD A CHILD-PAYEE RECORD"). Landry does not teach identifying

or producing an 11-digit zip code to find a payee record in the

payee database as recited in the independent claims 1 and 11

from which these claims depend.

Haimowitz et al., as discussed above, is directed to

finding an existing corporate record based on using a "hash key"

derived from the business name, city and state information since

doing so would expedite searching through large databases (see

sections cited above in the rejection to claims 1 and 11).

Therefore, it would have been obvious for one of ordinary

skill in the art at the time of the invention to have used

record-matching techniques of Haimowitz et al. to the payment

processing method and system as disclosed in Landry because

Landry specifically teaches using a payor/payee database to

locate payee information based on payor information (i.e.,

record-matching), which includes address information, to

effectuate payment. Haimowitz et al. teaches an efficient

method and system to match currently existing records to those

being received. Therefore, one with ordinary skill in the art

would have been motivated to use a more efficient business

record-matching method and system as taught by Haimowitz to

speed up and increase accuracy in an electronic payment method

and system of Landry that is based on payor/payee record match.

As to **claims 9, 15, 21 and 24**, these claims recite a

payment processing method and system for processing the payor

account number to determine a single remittance center

associated with the payor account number and directing a payment

to the remittance center associated to the payor account number.

As discussed above with respect to claims 6, 7, and 13, Landry

teaches setting up Payor and Payee records (i.e., accounts) that

includes respective account numbers (i.e., Payor ID, Payee ID;

Fig. 2A), respective address information (i.e., Payor address,

Payee address; Fig. 2A), and respective financial institution

information (Payor Bank, Payee Bank; Fig. 3). Landry's method

and system processes payee information as received from the

payor's payment information in setting up the payee record and

uses the payee record as indicated in the payor records to

process and remit payment (see at least the Abstract; col. 6,

lns. 32-54; col. 21, "ADD A CHILD-PAYEE RECORD"). It is

notoriously old and well known in the art that merchants (i.e.,

payees, in this sense) have multiple banks that provide

financial administrative services. Consequently, systems such

as Landry, which deals with multiple payees and payors, set up a

system that will look up a specific "payee" (i.e., the financial

institution, in this sense) to accept the payment from a payor.

That is to say, it is irrelevant whether a "payee" (i.e., a merchant) has multiple remittance centers. Landry teaches that a payor's account number (i.e., record ID) is processed to determine who is to receive the payment (i.e., Payee ID) for the merchant and directs payment to the identified entity. Landry does not teach identifying or producing an 11-digit zip code to find a payee record in the payee database as recited in the independent claims 1 and 11 from which these claims depend. Moreover, Landry does not specifically teach that a "validation rule" is stored for each payee.

Haimowitz et al., as discussed above, is directed to finding an existing corporate record based on using a "hash key" derived from the business name, city and state information since doing so would expedite searching through large databases (see sections cited above in the rejection to claims 1 and 11). Moreover, Haimowitz et al. identifies the necessity to normalize and validate the received information to alter the data, if necessary, to conform to a standardized format since the received data comes from multiple sources that may use different data structures.

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to have used

record-matching techniques of Haimowitz et al. to the payment

processing method and system as disclosed in Landry because

Landry specifically teaches using a payor/payee database to

locate payee information based on payor information (i.e.,

record-matching), which includes address information, to

effectuate payment. Haimowitz et al. teaches an efficient

method and system to match currently existing records to those

being received. Therefore, one with ordinary skill in the art

would have been motivated to use a more efficient business

record-matching method and system as taught by Haimowitz to

speed up and increase accuracy in an electronic payment method

and system of Landry that is based on payor/payee record match.

Furthermore, Landry teaches that all payment transactions

must be validated (Pre-Note; col. 28, "TRANSACTION REFERECE FILE

PROCESSING") thereby identifying and acknowledging the need for

validation of the payment information submitted to a financial

institution. It would have been obvious to one of ordinary

skill in the art at the time of the invention that multiple

financial institutions do not necessarily have the same payment

format as indicated in Haimowitz. Therefore, one with ordinary

skill in the art would have been motivated to automate the

normalization of the payment information as taught by Haimowitz

to effectuate the validation process of Landry to ensure that

the submitted payment is processed timely and correctly by the

receiving financial institution.

Allowable Subject Matter

19. *Claim 28* would be allowable if rewritten or amended to

overcome the rejection(s) under 35 U.S.C. 112, first and second

paragraph, set forth in this Office action.

In particular, none of the art of record, individually or

in combination, teach searching a payee database upon receipt of

a payment instruction having a payee name and address

information, including a zip code, initially processing the

payment instruction based on payee name and address information

for a match in the payee database and directing payment thereto,

and if no match is found, identifying an 11-digit zip code to

perform a second search in the payee record for a matching payee

based on the identified 11-digit zip code and directing payment

thereto, as recited in claim 28.

As stated above, the allowance of claim 28 is conditioned

upon overcoming *both* the §112, first and second paragraph

rejection as set forth above. Care should be taken that *No new*

matter should be entered in responding to the §112 rejection

above.

Conclusion

20. The prior art made of record and not relied upon is

considered pertinent to applicant's disclosure.

- *Brumbelow et al.* (US Pat. No. 6,119,104) discloses a

composite desktop system for banking facilities including a

database of customers and a zip code look-up function.

- *"1995 Software Guide: Conveying the message faster, more*

efficiently", an article in <u>Direct Marketing</u> describing a

software product used for verifying and correcting

addresses including 5-, 9-, and 11-digit zip codes.

- *"Postalsoft Inc. Delivers Address-Correction Tool"*, an

article in American Banker describing a software product

used for verifying and standardizing addresses including

5-, 9-, and 11-digit zip codes.

- *Notess et al.* ("Internet Ready Reference Resources"), an

article discussing zip code validation tools including the

database available from the US Postal Service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kyle J. Choi** whose telephone number is **(703)306-5845**. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Tariq Hafiz** can be reached on **(703)305-9643**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703)308-1113**.
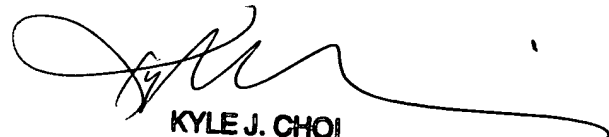
Any response to this action should be mailed to:

> ***Commissioner of Patents and Trademarks***
> ***Washington D.C.   20231***

or faxed to:

(703)305-7687   [Official communications; including
                      After Final communications labeled
                      "Box AF"]

(703)746-5548   [Informal/Draft communications, labeled
                      "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

KYLE J. CHOI
PRIMARY EXAMINER
Art Unit 3623
August 12, 2002